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April 15, 2005

VIA HAND DELIVERY

Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124, Lockbox 27
Wilmington, DE 19801

Re: **Charles A. Stanziale, Jr., Chapter 7 Trustee of Student Finance Corp.
v. McGladrey & Pullen LLP, et al., Case No. 05-72-JJF**

Dear Judge Farnan:

We represent McGladrey & Pullen LLP and Michael Aquino in the above case. We write in response to the letter filed with the Court yesterday, April 14, 2005, by Donald Crecca, counsel for Charles A. Stanziale, the Chapter 7 Bankruptcy Trustee for Student Finance Corporation.

In his letter, Mr. Crecca requests a joint status conference in order to obtain a coordinated case management plan in this and a number of other related actions. We do not oppose that request. We do, however, want to bring a number of events and observations to the Court's attention which we ask the Court to consider in formulating a coordinated case management plan.

As your Honor knows, on March 1, 2005, McGladrey & Pullen and Mr. Aquino moved to dismiss the Trustee's complaint in the above action. In connection with that motion, we came to an agreement with the Trustee with respect to a briefing schedule. Pursuant to that schedule, the Trustee is due to respond to the motion today, April 15, 2005. (Originally, the Trustee was due to respond on April 1, 2005; however, we agreed to extend that date as a matter of professional courtesy.) McGladrey and Mr. Aquino are due to submit their reply brief on May 10, 2005, at which time the motion will be fully submitted and ready for argument to be scheduled. We understand that the Trustee plans on filing and serving his opposition papers today.

Given our desire to have that motion progress, we respectfully request that any case management order entered into by the Court keep the stipulated schedule between the Trustee, McGladrey and Mr. Aquino intact.

ARNOLD & PORTER LLP

Honorable Joseph J. Farnan, Jr.
April 15, 2005
Page 2

Secondly, we note that, on April 12, 2005, McGladrey, Mr. Aquino and Freed Maxick & Battaglia CPAs PC, another accounting defendant in *Royal Indemnity Co. v. Pepper Hamilton LLP, et al.*, Index No. C.A. 05CV00165 (JJF), entered into a stipulation with Royal. That case, which is also pending in front of your Honor, is one of the related actions referenced in Mr. Crecca's letter. In the April 12 stipulation, Royal agreed to allow McGladrey, Mr. Aquino and Freed Maxick up to and including May 27, 2005 to file an answer or other responsive pleading to Royal's complaint. Although not included in the stipulation, counsel for Royal also agreed to allow additional time thereafter to the stipulating defendants to answer or more if they so required.

We ask that any case management order entered by the Court be consistent with this prior agreement. Earlier this week, Royal filed an amended complaint in which it added an additional civil RICO claim against Mr. Aquino and Roderick Gagné, another individual defendant. Thus, our need for additional time to respond to the complaint is that much more necessary.

As in the Trustee's action, McGladrey and Mr. Aquino intend to file a motion to dismiss the Royal complaint. We believe that scheduling anything else beyond the briefing of defendants' motions to dismiss in either litigation would be premature at this time. The Trustee's and Royal's complaints may be dismissed, and the parties should not have to expend any additional time or incur any additional expense prior to determination of those motions. This is another factor we ask the Court to consider in entering a case management order in these actions.

We are of course happy to answer any questions the Court may have.

Respectfully submitted,



Veronica E. Rendon

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ARNOLD & PORTER LLP

Honorable Joseph J. Farnan, Jr.
April 15, 2005
Page 3

cc: Charles A. Stanziale, Jr., as Chapter 7 Trustee
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